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Attorneys for Defendant Vector Marketing Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALICIA HARRIS, as an individual and on behalf of all others similarly situated,

No.: CV 08-5198 EMC

Plaintiffs,

VS.

**VECTOR MARKETING
CORPORATION, a Pennsylvania
corporation; and DOES 1 through 20,
inclusive.**

**JOINT STIPULATION RE:
DEPOSITION OF CRAIG ARNOFF
AND MOTION FOR SUMMARY
JUDGMENT BRIEFING
SCHEDULE; [PROPOSED] ORDER**

Complaint Filed: October 15, 2008
Trial Date: June 6, 2011

Defendants.

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CV 08-5198 EMC

US ACTIVE-105602369.2

1 Plaintiff Alicia Harris (“Plaintiff” or “Harris”) on behalf of the certified class
 2 and Defendant Vector Marketing Corporation (“Defendant” or “Vector”) enter into
 3 this joint stipulation with reference to the following facts:

4 **RECITALS**

5 A. WHEREAS on February 10, 2011, the class filed its motion for summary
 6 judgment, including, the declaration of Craig Arnoff in support of said motion;

7 B. WHEREAS, on February 16, 2011, Vector issued a notice of deposition
 8 of Mr. Arnoff on matters related to his declaration, which was noticed for
 9 February 21, 2011;

10 C. WHEREAS, due to the parties’ scheduling conflicts and matters
 11 addressed between the parties, Vector will not be able to take Mr. Arnoff’s deposition
 12 prior to the February 23, 2010 filing deadline of its opposition to the class’ summary
 13 judgment motion; and

14 D. WHEREAS, Plaintiff is agreeable to producing Mr. Arnoff for a
 15 deposition on Wednesday, February 23, 2011, the parties have agreed to a modest
 16 modification to the motion for summary judgment briefing and other stipulations, as
 17 set forth below.

18 **STIPULATION**

19 NOW, THEREFORE, it is hereby stipulated by the parties, subject to this
 20 Court’s approval, through their respective counsel of record, as follows:

21 1. Vector shall take Mr. Arnoff’s deposition on Wednesday, February 23,
 22 2011, at the offices of Reed Smith, 355 S. Grand Avenue, Suite 2900, Los Angeles,
 23 California 90071, at a mutually convenient time for the parties. The scope of
 24 Mr. Arnoff’s deposition shall be limited to testimony set forth in his declaration, filed
 25 on February 10, 2011, and not as to matters that may touch upon his work product in
 26 connection with the class’ opposition to Vector’s cross motion for summary. Nothing
 27 herein shall affect Vector’s right to take a subsequent deposition of Mr. Arnoff should

1 he provide additional declarations or other disclosures in this action, following the
2 designation of experts as called for in this Court's Case Management Scheduling
3 Order, and related only to any new or additional opinions Mr. Arnoff may set forth in
4 such further declarations or disclosures, and except as limited by paragraph number
5 four set forth immediately below;

6 2. The deadline to file oppositions to the parties' cross-motions for
7 summary judgment shall be continued from February 23, 2011 to February 25, 2011;

8 3. The deadline to file replies in further support of the parties' cross-
9 motions for summary judgment shall be continued from March 2, 2011 to March 4,
10 2011;

11 4. For the period between February 25, 2011 to March 2, 2011, no
12 depositions, other than those already noticed, shall be taken by the parties.

13 IT IS SO STIPULATED.

15 Dated: February 18, 2011

REED SMITH LLP

16 By _____/S/
17 Roxanne M. Wilson
18 Attorneys for Defendant
18 VECTOR MARKETING CORPORATION

19 Dated: February 18, 2011

MARLIN & SALTZMAN

20 By _____/S/
21 Stanley D. Saltzman
21 Attorneys for Plaintiff
22 ALICIA HARRIS

23 **ORDER**

24 Based on the above stipulation, IT IS SO ORDERED that:

25 1. The deadline to file oppositions to the parties' cross-motions for
26 summary judgment shall be continued from February 23, 2011 to February 25, 2011;

1 2. The deadline to file replies in further support of the parties' cross- 3
2 motions for summary judgment shall be continued from March 2, 2011 to March 4,
3 2011; and

4 3. The hearing on the parties' cross-motions for summary judgment shall
5 take place as previously ordered on Wednesday, March 16, 2011, at 10:30 a.m.
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8 Dated: 2/22, 2011
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